

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 49

April 24, 1997, 7:46 pm
Page S-3623 Temp. Record

CHEMICAL WEAPONS CONVENTION/No Inspectors from Rogue Nations

SUBJECT: Resolution of ratification for the Convention on the Prohibition of Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Treaty Doc. 103-21) . . . S. Res. 75. Biden amendment No. 50.

ACTION: AMENDMENT AGREED TO, 56-44

SYNOPSIS: S. Res. 75, a resolution of ratification for the Convention on the Prohibition of Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction, will give the Senate's advice and consent to the Chemical Weapons Convention (CWC). (Resolutions of ratification ordinarily are not assigned numbers; in this case, by unanimous consent, the Senate considered S. Res. 75 as a substitute for the unnumbered resolution submitted by the Executive Clerk. Also by unanimous consent, the Senate did not consider amendments to the convention, it agreed by voice vote to the first 28 of 33 conditions, declarations, statements, and understandings that were in S. Res. 75, and it agreed that the only other actions in order would be motions to strike the remaining 5 conditions, declarations, statements, and understandings; see vote Nos. 46-50.)

The Biden amendment would strike condition number 31, which will require the President to exercise his right under the Chemical Weapons Convention (CWC) to reject individual inspectors by rejecting all individual inspectors who are nationals of countries that support international terrorism or that have violated U.S. non-proliferation law. Additionally, he will be required to bar such nationals from U.S. territory for the purpose of conducting any activity associated with the CWC.

Those favoring the amendment contended:

The Biden amendment would strike a condition from the resolution of ratification that will require the United States to object to verification inspectors from countrieslike Iran, China, and North Korea. This condition seems to make sense at first glance. Those countries will very likely try to send inspectors who are really espionage agents, and such fake inspectors should not be allowed to

(See other side)

YEAS (56)			NAYS (44)		NOT VOTING (0)	
Republicans (11 or 20%)	Democrats (45 or 100%)		Republicans (44 or 80%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Chafee	Akaka	Johnson	Abraham	Helms		
Cochran	Baucus	Kennedy	Allard	Hutchinson		
Collins	Biden	Kerrey	Ashcroft	Hutchison		
D'Amato	Bingaman	Kerry	Bennett	Inhofe		
Frist	Boxer	Kohl	Bond	Kempthorne		
Jeffords	Breaux	Landrieu	Brownback	Kyl		
Lugar	Bryan	Lautenberg	Burns	Lott		
Roth	Bumpers	Leahy	Campbell	Mack		
Snowe	Byrd	Levin	Coats	McCain		
Specter	Cleland	Lieberman	Coverdell	McConnell		
Stevens	Conrad	Mikulski	Craig	Murkowski		
	Daschle	Moseley-Braun	DeWine	Nickles		
	Dodd	Moynihan	Domenici	Roberts		
	Dorgan	Murray	Enzi	Santorum		
	Durbin	Reed	Faircloth	Sessions		
	Feingold	Reid	Gorton	Shelby		
	Feinstein	Robb	Gramm	Smith, Bob		
	Ford	Rockefeller	Grams	Smith, Gordon		
	Glenn	Sarbanes	Grassley	Thomas		
	Graham	Torricelli	Gregg	Thompson		
	Harkin	Wellstone	Hagel	Thurmond		
	Hollings	Wyden	Hatch	Warner		
	Inouye					

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

go to chemical plants, defense facilities that use chemicals, national laboratories, and similar locations in the United States on the supposed purpose of checking to see if chemical weapons are being produced. However, we inform our colleagues that the CWC already gives the United States and every other country the complete right to bar any inspector that it does not trust. A country that is going to be inspected is given names of inspectors in advance, and it gets to choose which inspectors may come. The United States has the finest intelligence services in the world; when it gets a list of names, those services will cull through the list and ban any inspectors who are foreign agents rather than real inspectors. Thus, it is not necessary to have a blanket rejection of every country. If a country submits only names of espionage agents, then every name can be rejected. Not only is this condition unnecessary, it will also have a negative impact. If we bar inspectors from a particular country, it will undoubtedly retaliate by barring United States inspectors. Our inspectors are the best in the world. They should not be barred from going to inspect the countries that are most likely to cheat. That, however, will be the only concrete result of this condition. We of course oppose that result, and thus of course support the Biden amendment to strike this condition from the resolution of ratification.

Those opposing the amendment contended:

If ratified, the CWC will provide inspectors from foreign countries unprecedented access to commercial and Government facilities. They will be permitted to interview site personnel, inspect records, photograph on-site apparatus, take samples, record readings of plant equipment, and use instruments to monitor processes. The likelihood that trade secrets or national security secrets will be stolen during inspections is very high. Inspectors will be allowed anywhere controlled chemicals are used, including commercial chemical plants, defense industry plants, national laboratories, and defense bases. Some Senators dismiss the danger, but we know of one single test that alone gives basis enough for rejecting this convention. In that test, which was conducted as a trial run for a CWC inspection, soil and water samples were collected in the vicinity of rocket propellant production facilities. Those samples were then analyzed, and the results revealed highly classified information about the formulation of rocket propellant and the process used to make it. How would our colleagues feel about a country like China collecting that type of information? We do not use China as an example by chance--the officials of the preparatory commission for implementing the CWC have informed us that all of the Chinese inspectors whose names have been given to them have direct ties to China's defense chemical warfare program. As our colleagues have pointed out, the President already has the right under the convention to bar any inspector he wants to bar; if he so desires, he may bar every single inspector from particular countries. Clearly there are countries for which he should exercise that option. This condition that the Biden amendment would strike will do nothing more than order the President to exercise his right under the CWC to keep inspectors from certain rogue nations out of the United States. It is a reasonable condition that should not be stricken.